

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CENTURY INDEMNITY COMPANY, AS
SUCCESSOR TO CCI INSURANCE
COMPANY, AS SUCCESSOR TO
INSURANCE COMPANY OF NORTH
AMERICA and THE CONTINENTAL
INSURANCE COMPANY

Plaintiffs,

- against -

FREEPORT-MCMORAN COPPER &
GOLD INC., AS THE CLAIMED
SUCCESSOR TO PHELPS DODGE
CORPORATION, AS THE CLAIMED
SUCCESSOR TO CYPRUS AMAX
MINERALS COMPANY, AS THE
CLAIMED SUCCESSOR TO AMAX,
INC., AS SUCCESSOR TO AMERICAN
METAL CLIMAX, INC.

Defendant.

SCANNED

MOTION TO ADMIT COUNSEL
PRO HAC VICE

CIVIL ACTION NO. 08-CV-02012

FILED
JUL 16 2008
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Marian Hertz, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of Vance A. Woodward:

Applicant's Name: Vance A. Woodward
Firm Name: Carroll, Burdick & McDonough LLP
Address: 44 Montgomery Street, Suite 400
City/State/Zip: San Francisco, California 94104
Phone Number: (415) 743-2589
Fax Number: (415) 989-0932

Vance A. Woodward is an active member in good standing of the bar of California.

WHEREFORE, it is respectfully prayed that the referenced motion be granted, with all other further relief deemed appropriate by the Court.

Dated: New York, New York
July 14, 2008

Colliau Elenius Murphy Carluccio
Keener & Morrow

By: Marian H
Marian S. Hertz

40 Wall Street, 7th Floor

New York, New York 10005

Telephone: (212) 440-2743

Attorneys for Plaintiff The Continental
Insurance Company

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METAL CLIMAX, INC.

Defendant.

**AFFIDAVIT OF MARIAN S. HERTZ
IN SUPPORT OF MOTION TO
ADMIT COUNSEL PRO HAC VICE**

CIVIL ACTION NO. 08-CV-02012

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

Marian S. Hertz, being duly sworn, hereby deposes and says as follows:

1. I am Senior Counsel at Colliau Elenius Murphy Carluccio Keener & Morrow, counsel for Plaintiff, The Continental Insurance Company ("Continental"), in the above captioned action. I am familiar with the proceedings in this case. I make this statement

based on my personal knowledge of the facts set forth herein and in support of Plaintiff Continental's motion to admit Vance A. Woodward as counsel pro hac vice to represent Plaintiff in this matter.

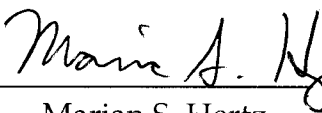
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in January 7, 1983. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I do not know Mr. Woodward personally, but my clients at Continental Insurance have known him and want to use his special knowledge for this case, and find him to be a skilled attorney and individual of integrity. I am informed that he is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

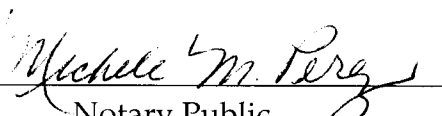
4. Accordingly, I am pleased to move the admission of Vance A. Woodward, pro hac vice.

5. I respectfully submit a proposed order granting the admission of Vance A. Woodward, pro hac vice, attached hereto as Exhibit A. Original Certificates of Good Standing for Mr. Woodward (from the States of California and New York) are attached as Exhibit B. There are no pending disciplinary proceedings against Vance A. Woodward in any State or Federal Court.

WHEREFORE, it is respectfully requested that the motion to admit Vance A. Woodward, pro hac vice, to represent Plaintiff, The Continental Insurance Company, in the above captioned matter, be granted.


Marian S. Hertz

Sworn to before me this
day of July 14, 2008


Notary Public

MICHELE M PEREZ
NOTARY PUBLIC STATE OF NEW YORK
NO. 01PE0067856
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES APRIL 30, 2011

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METAL CLIMAX, INC.

Defendant.

**ORDER FOR ADMISSION
OF VANCE A. WOODWARD
PRO HAC VICE
ON WRITTEN MOTION**

CIVIL ACTION NO. 08-CV-02012

Upon the motion of Marian Hertz attorney for THE CONTINENTAL
INSURANCE COMPANY and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Vance A. Woodward
Firm Name: Carroll, Burdick & McDonough LLP
Address: 44 Montgomery Street, Suite 400
City/State/Zip: San Francisco, California 94104
Phone Number: (415) 743-2589
Fax Number: (415) 989-0932

is admitted to practice pro hac vice as counsel for THE CONTINENTAL INSURANCE COMPANY in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: New York, New York

_____, 2008

United States District/Magistrate Judge



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 25, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, VANCE ASHLEY WOODWARD, #231730 was admitted to the practice of law in this state by the Supreme Court of California on June 29, 2004; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over a horizontal line.

Kath Lambert
Custodian of Membership Records



State of New York
Supreme Court, Appellate Division
Third Judicial Department

*I, Michael J. Novack, Clerk of the Appellate Division of the
Supreme Court of the State of New York, Third Judicial Department, do
hereby certify that*

Vance Ashley Woodward

*having taken and subscribed the Constitutional Oath of Office as prescribed by
law, was duly licensed and admitted to practice by this Court as an Attorney
and Counselor at Law in all courts of the State of New York on the 29th day
of October, 2002, is currently in good standing and is registered with the
Administrative Office of the Courts as required by section four hundred sixty-
eight-a of the Judiciary Law.*

*In Witness Whereof, I have hereunto set my hand
and affixed the Seal of said Court, at the
City of Albany, this 26th day of June,
2008.*



Michael J. Novack

Clerk

AFFIDAVIT OF SERVICE BY MAIL

[illegible]

Katherine M. Danzo, being duly sworn, deposes and says:

That deponent is not a party to this action, is over 18 years of age and resides in the County of New York, State of New York.

That on the 15th day of July 2008, deponent served the within **MOTION TO ADMIT COUNSEL PRO HAC VICE** and **AFFIDAVIT OF MARIAN S. HERTZ IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE** upon:

Rafael Vergara, Esq.
White and Williams LLP
Attorneys for Plaintiff Century Indemnity Company
One Penn Plaza, Suite 1801
New York, New York 10119
(212) 244-9500

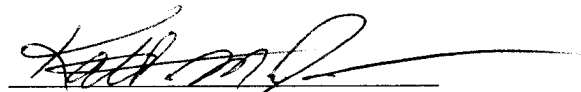
Shane R. Heskin, Esq.
White and Williams LLP
Attorneys for Plaintiff Century Indemnity Company
1800 One Liberty Place
Philadelphia, Pennsylvania 19103
(215) 864-7000

Mark J. Plumer (admitted *pro hac vice*)
Heller Ehrman LLP
Attorneys for defendants Cyprus AMAX Minerals Company, Phelps Dodge Corporation, AMAX Metals Recovery, Inc. and Freeport-McMoran Copper & Gold Inc.
1717 Rhode Island Avenue, NW
Washington, D.C. 20036
(202) 912-2000

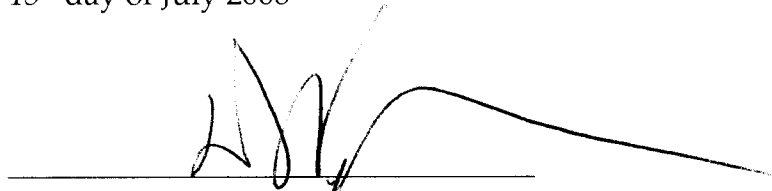
Lisa M. Cirando (LC 1916)
Chelsea J. Walsh (CW 1489)
Heller Ehrman LLP
Attorneys for defendants Cyprus AMAX Minerals Company, Phelps Dodge Corporation, AMAX Metals Recovery, Inc. and Freeport-McMoran Copper & Gold Inc.
7 Times Square
New York, New York 10036
(212) 832-8300

Gretchen A. Ramos (admitted *pro hac vice*)
Alan P. Jacobus (admitted *pro hac vice*)
Carroll Burdick & McDonough L.L.P.
Attorneys for The Continental Insurance Company
44 Montgomery Street
San Francisco, California 94104

the addresses designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.


Katherine M. Danzo

Sworn to before me this
15th day of July 2008


Notary Public

DEAN J. VIGLIANO
Notary Public, State of New York
No. 02VI6099477
Qualified in New York County
Commission Expires Sep. 29, 2011